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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/936,926	09/19/2001	Andreas Deininger	449122005000	2992

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EXAMINER

POLTORAK, PIOTR

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 04/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/936,926	Applicant(s) DEININGER ET AL.	
	Examiner Peter Poltorak	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-7 have been examined.
2. The effective filing date for the subject matter defined in the pending claims in this application is 10/16/2001.

Priority

3. Foreign priority has been claimed in this application.
4. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in Germany on 03/19/1999.

Specification

5. Applicant pre-amended the original specification. The pre-amended changes in the specification are difficult to follow. Due to the difficulty of following the flow of the specification the examiner requires a substitute specification that includes all the pre-amended changes. No new matter may be added.
6. The paragraph beginning on line 33 of page 1 recites:

“in this case, a distinction is drawn between ‘public’ and ‘non-public’ protocols. Published protocols, which are ...”.

It is unclear whether “public” and “published”, and “non-public” and “non-published” protocols are equivalent or a sentence elaborating on the public and the non-public protocols is missing. No new matter may be added.
7. Appropriate correction is required.

Drawings

8. The drawings will be examined once the substitute specification is received.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that applicant regards as the invention.
10. In claim 1, line 10 "various communication protocols" lacks antecedent basis.
11. Claim 1 suggests that it is the manager application that is authenticated but the phrase: "authentication data for the communication protocols used" points to the protocols authenticating. The phrase is treated as "authentication data associated with the communication protocols used"
12. Also, claim one presents the terms: "protocol-specific authentication data", "predetermined authentication data" and "authentication data". The claim as cited suggests that the "predetermined authentication data" is the same as "authentication data"; however, the lack of any articles suggests that none of the data is the same as other claimed data. Clarification is required.
13. Claims 2-4 are rejected by virtue of their dependence.
Appropriate correction is required.
14. Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Windows NT as evidenced by Microsoft Press (Microsoft Press, "Microsoft Windows

NT Server Networking Guide", ISBN 1572313447, 1996) and *comptechdoc* (<http://www.comptechdoc.org/os/windows/ntserverguide/ntsdomains.html>) in view of *Chadayammuri* (Prabha G. Chadayammuri, "A platform for building integrated telecommunications network management applications", October 1996).

15. As per claim 5 *Microsoft Press* teaches a client server computing (*Client/Server Computing*, pg. 6) and a Security Model Architecture wherein logon processes are utilized to accept logon requests (*Security Model Architecture*, pg. 66). This reads on at least one agent application for receiving communication-protocol-specific authentication data from an associated manager application.
- Furthermore, *Micorsoft Press* discloses the Local Security Authority (LSA) that provides authentication using the Security Account Manager (SAM) (*Microsoft Press*, pg. 66-67). This reads on an authenticity checking device to receive the communication protocol-specific authentication data from the agent application and to check the authenticity of the manager application by comparing the communication protocol-specific authentication data with predetermined authentication data.

Microsoft Press supports various authentication protocols (pg. 87-88) using elements discussed above, in particular the SAM. This reads on the authenticity checking device carries out the authentication checking centrally for various communication protocols, and the authentication data for the communication protocols used are stored centrally in an authentication databank.

16. *Microsoft Press* does not explicitly teach the at least one agent application and the associate manager application using TMN for the data exchange.
17. *Chadayammuri* teaches at least one agent application and an associate manager application using TMN for the data exchange (*TMN Architecture, Operation Systems and the Manager/Agent Model*, pg. 3).
18. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to add security functions as taught by *Microsoft Press* into the TMN environment as taught by *Chadayammuri*. One of ordinary skill in the art would have been motivated to perform such a modification in order to authenticate an agent application.
19. Claims 1 and 4 are substantially equivalent to claim 5; therefore claims 1 and 4 are similarly rejected.
20. As per claims 2 and 6 *comptechdoc* teaches SAM synchronization.
21. As per claim 3 *Chadayammuri* teaches that FTAM is one of two main protocols in TMN.
22. Claim 7 is implicit; the management device as taught by *Microsoft Press* does not directly interact with the network (*comptechdoc*, *SAM Synchronization Registry Settings*), and a device in the TMN environment is controlled by the TMN OS.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Poltorak whose telephone number is

Art Unit: 2134

(571)272-3840. The examiner can normally be reached Monday through Thursday from 9:00 a.m. to 4:00 p.m. and alternate Fridays from 9:00 a.m. to 3:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on (571) 272-3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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